#### FINAL DECISION DOCUMENTATION and DECISION RATIONALE

### MEADOW RESTORATION, MARYS PEAK RESOURCE AREA

Environmental Assessment Number OR080-03-09

USDI - Bureau of Land Management Oregon State Office, Salem District, Marys Peak Resource Area

Various Locations (See Table)

# **Project Site Locations**

| Landmark     | Legal Location      | Watershed         | LUA      | County  | Ac.1 |
|--------------|---------------------|-------------------|----------|---------|------|
| Name         |                     |                   |          |         |      |
| Lower Mill   | T7S-R6W, Sec. 4 & 5 | Mill Cr.          | AMR, RR  | Polk    | 70   |
| Mid-Mill     | T7S-R6W, Sec. 7     | Mill Cr.          | AMR, RR  | Polk    | 12   |
| Upper Mill   | T7S-R7W, Sec. 9     | Mill Cr.          | AMR, RR  | Polk    | 26   |
| Mill-Cedar   | T7S-R7W, Sec. 23    | Mill Cr.          | AMR, RR  | Polk    | 20   |
| Rickreall    | T8S-R6W, Sec. 5     | Rickreall Cr.     | AMA, RR  | Polk    | 5    |
| Monmouth     | T9S-R7W, Sec. 9     | Luckiamute River  | AMR, RR  | Polk    | 27   |
| Peak         |                     |                   |          |         |      |
| Harlan       | T12S-R8W, Sec. 7    | Big Elk Creek     | GFMA, RR | Lincoln | 4    |
| Bummer       | T14S-R7W, Sec. 31   | Upper Alsea River | LSR, RR  | Benton  | 4    |
| East Prairie | T15S-R7W, Sec. 4    | Lake Creek/       | LSR      | Benton  | 7    |
| Mountain     |                     | Upper Alsea       |          |         |      |
| Prairie      | T15S-R7W, Sec. 7    | Upper Alsea River | LSR, RR  | Benton  | 25   |
| Mountain     |                     |                   |          |         |      |
| Briar Creek  | T15S-R8W, Sec. 6    | Lobster Cr.       | LSR, RR  | Benton  | 7    |

<sup>1</sup> Approximate acreage of existing meadow area. Actual treatment areas are larger due to inclusion of meadow perimeter.

I have reviewed the proposal and alternatives for the accomplishment of the Meadow Restoration project. The Bureau of Land Management (BLM), Marys Peak Resource Area, completed an environmental analysis (Environmental Assessment number OR-080-03-09) for a proposal to restore meadow habitat on approximately 207 acres of meadow and up to 73 acres of meadow perimeter in eleven locations in the Coast Range west of Salem and Corvallis. Under the proposal, conifer trees that have become recently established within meadow habitat would be cut, burned or girdled. On some sites, the resulting fuel would be reduced by piling and burning. Oregon white oak associated with dry meadows would be enhanced through release from overtopping conifer, thinning, and planting. Native vegetation abundance and diversity would be enhanced by seeding and planting, and controlling non-native plants. Snags would be created adjacent to meadows to provide wildlife habitat. Prescribed burning would be used where

appropriate to remove conifer, enhance native vegetation, reduce fuels, and reduce weeds. The effects on meadow vegetation would be monitored.

The affected environment, proposed action and potential environmental consequences of the proposed project and associated activities are described in the Meadow Restoration, Marys Peak Resource Area Environmental Assessment (EA). The EA and Finding of No Significant Impact (FONSI) were made available for public review from July 7, 2003 to August 8, 2003.

Programmatic documents covering this proposal are the:

Record of Decision and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (S&M ROD, January 2001)

Final Supplemental Environmental Impact Statement For Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (S&M FSEIS, November 2000).

Salem District Proposed Resource Management Plan/Final Environmental Impact Statement (September, 1994) and Record of Decision and Resource Management Plan (RMP, May 1995)

Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl (ROD, April 1994)

Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional Forest Related Species Within the Range of the Northern Spotted Owl (SEIS, February 1994)

Western Oregon Program-Management of Competing Vegetation Final Environmental Impact Statement (VMFEIS, February 1989) and the Western Oregon Program-Management of Competing Vegetation Record of Decision (August 1992).

The EA is tiered with the aforementioned environmental documents. All of these documents may be reviewed at the Salem District BLM office, Marys Peak Resource Area, 1717 Fabry Rd. S., Salem Oregon. Office hours are Monday through Friday, 7:30 AM to 4:00 PM, closed on holidays.

#### **Decision Record**

Considering public comment, the content of the EA and supporting project record, and the management direction contained in the *RMP*, I have decided to implement Alternative 2, the Proposed Action and project design features described in the Environmental Assessment, hereinafter known as the Selected Action. Under this alternative, meadow restoration would occur on a total of up to 324 acres (216 current meadow acres and up to 108 acres of meadow

perimeter where conifers have encroached). Proposed methods include conifer removal, Oregon white oak enhancement, native species enhancement, snag creation, and prescribed burning. The Selected Action would be implemented with the following clarifications and modifications:

#### Clarifications

- 1. Meadow perimeter treated for conifer encroachment will likely total far less than 103 acres, and generally will extend less than 50 feet from existing meadow perimeter. Measurement of treatment areas on four sites has been completed and it well under the areal extent described in the EA.
- 2. Acreage was adjusted in the table above from the EA to reflect the results of additional evaluation and traversing on four sites.

### **Modifications**

1. Trees girdled to create snag habitat may exceed 30" diameter at breast height (dbh). Open-grown trees, especially at upper elevations, often have high diameters in relation to age and height. In evaluating available trees to meet objectives for snag habitat on these sites, a few have been found that exceed 30" diameter, are very suitable for snag habitat, and could be selected for girdling. Girdling trees greater than 30" dbh would not change the effects analysis.

### **Decision Rationale**

My rationale for this decision follows:

- 1. The selected action addresses the identified purpose and need for action because it will meet the need for restoring and maintaining special forest habitats as described in the *RMP* on page 26.
- 2. Alternatives 1 and 3 were not selected for the following reasons:
  - Alternative 1 The "no action" alternative was not selected because it would not meet *RMP* objectives for special habitats; nor would it meet the purpose and need for meadow restoration.
  - Alternative 3 Environmental effects between Alternative 2 and 3 are almost equal, yet under Alternative 3, the purpose and need would be met to a lesser extent, and would not allow the opportunity to test the use of prescribed fire in maintaining these habitats, as recommended in several Watershed Analyses (EA, page 3). The interdisciplinary team determined that the environmental effects of Alternative 2 are acceptable.

A FONSI was issued with the original EA. The clarifications and modifications do not change the scope of the project analyzed in EA number OR-080-03-09, and do not affect the adequacy of the analysis described in the EA. My conclusions in the FONSI have not changed.

#### **Public Involvement/Coordination/Consultation**

## **Scoping**

Efforts to involve the public in planning the proposed action are discussed on page 38 of the EA.

#### **Comments to EA**

No comments from the public were received.

#### Consultation

The proposed project did not trigger Consultation under the Endangered Species Act because the proposed action and alternatives would have no effect on any listed species.

### **Conclusion**

As Field Manager of the Marys Peak Resource Area, I reviewed the record for this proposed project and have decided to implement the Selected Action, along with the modifications described in the Decision Record.

A Finding of No Significant Impact was signed on July 7, 2003. The conclusions reached in that document have not changed.

## **Protests and the Right to Appeal**

This decision may be appealed to the Interior Board of Land Appeals (Board), Office of the Secretary, in accordance with the regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named

in this decision and to the Board and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

# Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Diane Illuria - Reting

Marys Peak Field Manager

9/3/3003 Date





















